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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-0295 MAG
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED]
	)	ORDER EXCLUDING TIME
v.	)	
	)	
NICOLE L. MAYS,	)	SAN FRANCISCO VENUE
	)	
Defendant.	)	
	)	

On July 10, 2007, the parties in this case appeared before the Court for a status hearing. At that appearance, Assistant Federal Public Defender Elizabeth Falk informed the Court the Defendant was unable to appear in Court due to work-related obligations. AFPD Falk stated that her office was continuing to investigate the case, and that she had just received a draft plea agreement from Counsel for the government. Therefore, the parties requested that the matter be continued to July 24, 2007, at 10:30 a.m. for a change of plea. In addition, Counsel for the government requested an exclusion of time from July 10, 2007 to July 24, 2007, in order to

1 afford AFPD Falk an opportunity to further investigate the case and consider a draft plea  
2 agreement. AFPD Falk agreed that an exclusion of time is appropriate based on the defendant's  
3 need for effective preparation of counsel. 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

4 SO STIPULATED:

5 SCOTT N. SCHOOLS  
6 United States Attorney

7 DATED: 7/10/2007

/s/ Derek R. Owens  
DEREK R. OWENS  
Assistant United States Attorney

9 DATED: 7/10/2007

/s/ Elizabeth M. Falk  
ELIZABETH M. FALK  
Assistant Federal Public Defender

12 For good cause shown, the Court HEREBY ORDERS that time be excluded under the  
13 Speedy Trial Act from July 10, 2007, to July 24, 2007. The Court finds, based on the  
14 aforementioned reasons, that the ends of justice served by granting the requested continuance  
15 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant  
16 the requested continuance would deny counsel reasonable time necessary for effective  
17 preparation, taking into account the exercise of due diligence, and would result in a miscarriage  
18 of justice. The Court therefore concludes that this exclusion of time should be made under 18  
19 U.S.C. §§ 3161 (h)(8)(A) and (B)(iv).

20 SO ORDERED.

21 DATED: \_\_\_\_\_

22 ELIZABETH D. LAPORTE  
23 United States Magistrate Judge